

REMARKS

Claims 526-585 are pending in the application. Claims 576, 580 and 585 have been amended to correct spelling errors. Claims 529, 532-535, 537, 539-542, 552-553, and 555-576 are withdrawn.

Election/Restriction

The finality of the Restriction Requirement is acknowledged. Applicants submit that upon submission of the Terminal Disclaimer herewith, all the elected claims are in condition for allowance. Therefore, the Examiner is kindly requested to rejoin the withdrawn claims, as provided in M.P.E.P. § 821.04. Applicants also note that upon the allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species that depend from or otherwise include all limitations of an allowable generic claim. 37 C.F.R. § 1.141.

Double Patenting

Claims 526-554 and 577-585 were rejected in the ground of non-statutory obviousness-type double patenting over at least claim 1-20 and 80-83 of U.S. Pat. No. 6,824,981 (the parent of the instant application). Applicants respectfully traverse this rejection. However, to expedite the prosecution of this application, Applicants are submitting a Terminal Disclaimer over U.S. Pat. No. 6,824,981 herewith. Applicants submit that upon entry of the Terminal Disclaimer, this double patenting rejection will be moot.

Claim Objections

Claims 580 and 585 were objected to because of misspelling of the word “or.” Applicants have amended claims 580 and 585 to correct this typographical error. Accordingly, Applicants submit that these claim objections are moot.

Allowable Subject Matter

Applicants acknowledge the Examiner's indication that claims 526-554 and 577-585 would receive favorable consideration if they were amended to recite a peptide selected from the group consisting of the elected species of SEQ ID NO: 1. However, Applicants submit that because the Terminal Disclaimer, submitted herewith, will overcome the only outstanding claim rejection, the entire subject matter of claims 526-554 and 577-585 is allowable.

CONCLUSION

In view of the above amendment and filing of a Terminal Disclaimer with the appropriate fees (submitted herewith), Applicants believe the pending application is in condition for allowance.

A Petition for a one-month extension of time is enclosed. The four-month due date for this Amendment, May 31, 2008, fell on a Saturday, and, accordingly, this Amendment should be considered timely filed, with a Petition for a one-month extension of time, the following Monday, June 2, 2008.

Applicants believe no additional fee is due with this response. However, if a fee is due or a credit is owed, please charge or credit our Deposit Account No. 08-0219, under Order No. 0112602.00152US3 from which the undersigned is authorized to draw.

The Examiner is kindly requested to telephone the undersigned to expedite prosecution of this application.

Respectfully submitted,

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/Mary Rose Scozzafava/

Mary Rose Scozzafava
Registration No.: 36,268
Attorney for Applicant(s)

Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000 (telephone)
(617) 526-5000 (facsimile)